



**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**MIKE KENNEALY**  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Board of Registration of Psychologists**  
1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

**EDWARD A. PALLESCHI**  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**LAYLA R. D'EMILIA**  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**BOARD OF REGISTRATION OF PSYCHOLOGISTS**

**Public Meeting Minutes of September 10, 2021**

Board Members Present: Robert Carey, Jr., Ph.D., Chair  
Marshaun Glover, Ph.D., Vice Chair  
John Marshall, D.C., Secretary  
William Hudgins, Ph.D.  
Tammy Jones, Psy.D.  
Vicky Anderson, Psy.D.

Staff Present: Bruce Hopper, Deputy General Counsel  
Brian Bialas, Executive Director  
Jenna Hentoff, Board Counsel  
Doris Lugo, Investigator

All board members and staff appeared by videoconference.

At 9:08 a.m., the meeting was called to order by Dr. Carey.

**Board Business**

- **New Board Counsel Jenna Hentoff:** Ms. Hentoff introduced herself to the Board.
- **Public Meeting Minutes of August 13, 2021:** After a brief discussion, a motion was made by Dr. Hudgins, seconded by Dr. Jones, to approve the Public Meeting Minutes of August 13, 2021. The motion passed unanimously.
- **Executive Session Minutes of August 13, 2021:** After a brief discussion, a motion was made by Dr. Hudgins, seconded by Dr. Jones, to approve the Executive Session Minutes of August 13, 2021. The motion passed unanimously.

**Application Review – Hearing on Denial of Application**

- **Alberto Hernandez:**

Mr. Bialas called the hearing to order and announced that the hearing will be recorded by Microsoft Teams. See recording.



Dr. Hernandez appeared with Richard Nahigian, his attorney, and Stacy Lambert, of William James College, to appeal the denial of his application under 251 CMR 3.03(1) because he did not receive a doctorate from a program that was APA-accredited at the time he graduated or within three years of that date. Dr. Hernandez stated that he cannot dispute that his doctorate is not from a program that was accredited at the time he graduated or within three years of that date, but he is licensed in Puerto Rico. For this reason, the Board considered first whether Dr. Hernandez's Puerto Rico psychologist license is the "substantial equivalent" to a Massachusetts license under 251 CMR 3.09(1), and then whether his education and training meet Massachusetts requirements for certification as a health service provider under 251 CMR 3.06(2). Mr. Nahigian presented an analysis of the licensure requirements in Puerto Rico compared to the requirements in Massachusetts and argued that Dr. Hernandez's education and experience exceed the requirements for licensure in Massachusetts. Dr. Lambert then discussed the re-specialization program Dr. Hernandez completed at William James College and his performance in that program.

After a brief discussion, a motion was made by Dr. Hudgins, seconded by Dr. Glover, to approve Dr. Hernandez for licensure as a health service provider if he passes the EPPP and jurisprudence examination because: (1) Dr. Hernandez's Puerto Rico psychologist license is the "substantial equivalent" to a Massachusetts psychologist license under 251 CMR 3.09(1), and (2) Dr. Hernandez's education and training, including the education and training that he received at the William James College re-specialization program, meet Massachusetts requirements for certification as a health service provider under 251 CMR 3.06(2). The motion passed unanimously.

#### **Application Review Interview – Foreign Applicant**

- **Jeannette Daccache:** Dr. Daccache, a potential applicant who was trained in Lebanon and France, appeared to discuss her qualifications for licensure. Dr. Carey stated that he has reviewed her coursework and believes she meets the educational requirements for licensure, but she will have to pass the EPPP and jurisprudence examination. The Board directed Dr. Daccache to provide a *curriculum vitae* and have her former supervisors complete the internship and post-doctoral training forms from the licensure application. Once she submits her C.V. and training forms, the Board will interview her again.

#### **Discussion**

- **Emergency Policy on Supervision and Teletherapy:** The Board discussed extending the principles of its existing policy to December 31, 2021 by approving a new Policy on Supervision and Teletherapy. After a brief discussion, a motion was made by Dr. Glover, seconded by Dr. Marshall, to approve the draft Policy on Supervision and Teletherapy. The motion passed unanimously.

The Board directed staff to place changes to 251 CMR 3.05(2)(f) on the agenda for the next meeting.

- **8.31.21 Letter from N. Covino of William James College re: Teletherapy:** The Board reviewed, as an unanticipated matter, a letter from the President of William James College advocating for the expanded use of teletherapy by Massachusetts licensees in

other states. The Board directed staff to respond that the Board will consider expanding the use of teletherapy at future meetings.

### **Monitoring Report Interview**

- **Edward Mendelowitz, 2019-000343-IT-ENF, Interview of Supervisor William Fitzgerald:** Dr. Fitzgerald appeared to discuss his monitoring of Dr. Mendelowitz. Dr. Fitzgerald reported that Dr. Mendelowitz is steadfast that the Board should not have disciplined him. Although Dr. Mendelowitz believes he used poor judgment, Dr. Mendelowitz does not believe it was unethical to invite certain long-standing patients to a social gathering he organized. Rather, Dr. Mendelowitz thinks the complainant wanted to punish him for various reasons. Dr. Fitzgerald stated that he is able to continue as supervisor, but Dr. Mendelowitz probably is not making the progress that the Board wants.

After a brief discussion, a motion was made by Dr. Marshall, seconded by Dr. Jones, to reject Dr. Mendelowitz's first and second quarterly monitoring reports because:

- Dr. Mendelowitz is not admitting to the violations during supervision that he agreed to in his consent agreement; and
- He is not learning about or gaining insight into his contribution to the violations but rather is engaging in victim blaming.

The motion passed unanimously.

The Board directed Mr. Bialas to notify Dr. Mendelowitz of its decision.

### **Monitoring Report**

- **Lisa Cohen, 2019-001356-IT-ENF, Letter re: Supervision and Approval of CEs:** The Board reviewed a letter from Dr. Cohen's attorney enclosing proof of continuing education and discussing Dr. Cohen's inability to propose a supervisor for her probation that the Board will accept under the consent agreement. The Board directed staff to notify Dr. Cohen's attorney that it accepts the continuing education and provide a list of supervisors approved by the Board over the past three years, reminding Dr. Cohen's attorney that the Board must approve any proposed supervisor.

Dr. Glover took no part in the discussion or decision on the letter.

**Executive Session** (closed under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, ¶ 26(c) and G.L. c. 214, § 1B – adhering to the public records law and to preserve the confidentiality of medical record information)

At 11:15 a.m., a motion was made by Dr. Marshall, seconded by Dr. Anderson, to (1) exit the public meeting; (2) enter into executive session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, ¶ 26(c) and G.L. c. 214, § 1B – adhering to the public records law and to preserve the confidentiality of medical record information; and (3) at the conclusion of the executive session, not return to the public meeting. The motion passed unanimously by a roll call vote.

**Investigative Conference** (closed to conduct investigatory conferences, pursuant to G.L. c. 112, § 65C)

The Board exited executive session and entered into investigative conference at 11:50 a.m.

During the investigative conference, the Board took the following actions:

**Case Interview**

2021-000179-IT-ENF (KH):	Interview tabled until the October meeting
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**Cases**

2021-000421-IT-ENF (LW):	Dismiss. Open complaint for CE violation.
2021-000431-IT-ENF (GK):	Invite respondent to a meeting for an interview
2021-000473-IT-ENF (LM):	Refer to Office of Prosecutions
2021-000536-IT-ENF (CB):	Dismiss

**Adjournment**

The meeting adjourned at 12:55 p.m.

The above minutes were approved at the public meeting held on October 8, 2021.



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Brian Bialas, Executive Director

**List of Documents Used During the Public Meeting**

- Agenda of September 10, 2021 Meeting
- Public Meeting Minutes of August 13, 2021
- Executive Session Minutes of August 13, 2021
- Application of Alberto Hernandez
- Education and Training Documents of Jeannette Daccache
- Draft Policy on Supervision and Teletherapy
- 8.31.21 Letter from N. Covino of William James College re: Teletherapy
- Edward Mendelowitz, 2019-000343-IT-ENF, 1st and 2nd Quarterly Monitoring Reports
- Lisa Cohen, 2019-001356-IT-ENF, Letter re: Supervision and Approval of CEs